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BAC #3

Practitioner's Docket N . 50884

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

[X] In re application of: Thomas A. Koes

Application No.: 09/995,880

Group No.: 1752

Filed: November 28, 2002

Examiner: Not Yet Assigned

For: PHOTORESIST COMPOSITION

[] Patent No.*: Issue date:

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MAY 03 2002

OFFICE OF PETITIONS

*NOTE: Preferably also insert inventor's name and invention title. Where notification is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M Fee to address

Assistant Commissioner for Patents
Washington, D.C. 20231

**PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN
ON EXPRESS MAIL LABEL "DATE-IN"
(37 C.F.R. 1.10(c))**

NOTE: See Section 513, M.P.E.P., 7th Edition.

1. This is a petition to accord the correspondence in the above-identified

[X] application

[] patent

the "date-in" of November 28, 2002 shown on the Express Mail label No. ET755554119US.

It is respectfully contended that the date of November 29, 2002 accorded this correspondence by the PTO is incorrect.

05/01/2002 JADDO1 00000017 09995880

01 FC:122

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. Section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office (703) _____.

Deanna M. Rivernider
Signature

Deanna M. Rivernider

(type or print name of person certifying)

Date: 4/17/02

2. Submitted herewith is the statement of Deanna M. Rivernider as to when the discrepancy was discovered and establishing that this petition is being filed promptly thereafter. 37 C.F.R. 1.10(c)(1).
3. Attached is a true copy of the first page of the correspondence which was filed, showing both the date on which this correspondence was mailed as Express Mail Label No. ET755554119US and that the number of the Express Mail was placed thereon prior to mailing. 37 C.F.R. 1.10(c)(2).
4. Attached is true copy of the "Express Mail" mailing label showing the "date-in" of November 28, 2002. 37 C.F.R. 1.10(c)(3).

5. Other:

Attached is a true copy of the documentation received from the U.S. Postal Service indicating that Express Mail item number ET755554119US was delivered to the U.S. Patent Office on November 29, 2002 which provides further evidence that the "date-in" was in fact November 28, 2002.

6. The petition fee (37 C.F.R. 1.17(h)) is paid as follows:

Enclosed please find a check payable to the "Commissioner of Patents" for the sum of \$130
 Please charge Account No. _____ the sum of \$130

A duplicate of this petition is enclosed.

Please charge Account No. _____ for any fee deficiency or credit this account for any overpayment for this petition.



SIGNATURE OF PRACTITIONER

Reg. No. 33,860

Peter F. Corless

(type or print name of practitioner)

Tel. No. (617) 523-3400

EDWARDS & ANGELL, LLP

Dike, Bronstein, Roberts & Cushman, IP Group

P.O. Box 9169

P.O. Address

Boston, Massachusetts 02209



COPY OF PAPERS
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Docket No. 50884 #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The application of: Thomas A. Koes

Serial No.: 09/995,880

Examiner: Not Yet Assigned

Filed: February 28, 2002

Group Art Unit: 1752

For: PHOTORESIST COMPOSITION

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Assistant Commissioner for Patents
Washington, D.C. 20231

MAY 03 2002

OFFICE OF PETITIONS

Dear Sir:

DECLARATION

1. I, Deanna M. Rivernider, declare that I am an Assistant to Attorney Peter F. Corless of Edwards & Angell, LLP.
2. I discovered the incorrect date on the U.S. Patent Office filing receipt of the above-referenced application on February 27, 2002 when I was preparing the paperwork to respond to the Notice to File Missing Parts.
3. Upon discovery of the discrepancy, I immediately reviewed our Customer Copy of the Express Mail Label (copy enclosed) and also contacted the United States Postal Service to obtain further documentation confirming the delivery date of the Express Mail Package and the Address of the Recipient (copy enclosed).
4. I believe this petition is being filed promptly thereafter.
5. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Deanna M. Rivernider

Deanna M. Rivernider, Assistant to:
Peter F. Corless (Reg. No. 33,860)
Edwards & Angell, LLP
Dike, Bronstein, Roberts & Cushman, IP Group
P.O. Box 9169
Boston, MA 02209
(617) 523-6440

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Petitioner's Docket No. 50884

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

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NEW APPLICATION TRANSMITTAL

OFFICE OF PETITIONS

Transmitted herewith for filing is the patent application of

Inventor(s): Thomas A. KOES

WARNING: 37 CFR 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors."

For (title): PHOTORESIST COMPOSITION

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date November 28, 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number ET755554119US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Deanna M. Rivernider
(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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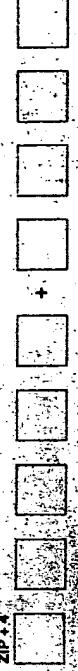
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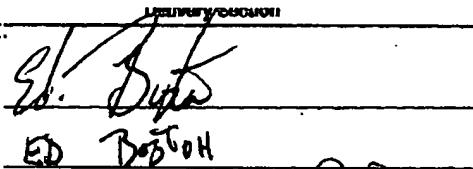
Date: 02/27/2002

Fax Transmission To: Postal Customer
Fax Number: 508-485-0363

Dear Postal Customer:

The following is in response to your 02/27/2002 request for delivery information on your Express Mail item number ET755554119US. The delivery record shows that this item was delivered on 11/29/2001 at 11:50 AM in ARLINGTON, VA 22202 to D BARFIELD. The scanned image of the recipient information is provided below.

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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

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